

### **REMARKS**

Applicant respectfully requests reconsideration and allowance of all of the claims of the application in view of the foregoing claim amendments and the following remarks.

The status of the claims is as follows:

- Claims 13 and 23 were previously canceled without prejudice to, or disclaimer of, the subject matter recited therein.
- Claims 1-7, 12, 21, and 31 are amended herein.
- Accordingly, Claims 1-12, 14-22, and 24-36 remain pending for consideration.

Support for the amendments to Claims 1, 7, 12, 21, and 31 is found in the specification, as originally filed, in at least paragraphs [0021] – [0023], [0025], and [0028] – [0030]. Claims 2-6 are hereby amended to correct minor informalities found therein. No new matter is being introduced thereby.

### **Claims 1-6 Comply with § 112, First Paragraph**

Claims 1-6 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses the rejection. Nevertheless, without conceding the propriety of the rejection and for the sole purpose of expediting allowance of the present application, Applicant hereby amends independent Claim 1 in the manner set forth above. Moreover, as stated above, Applicant understood Examiner Roswell to agree that Claims 1-6, as amended as proposed during the interview, comply with the written description requirement pursuant to 35 U.S.C. § 112, first paragraph. Accordingly, Applicant

respectfully submits that independent Claim 1 satisfies the written description requirement in accordance with 35 U.S.C. § 112, first paragraph, and further requests that the rejection be reconsidered and withdrawn.

### **Cited Documents**

The following documents have been applied to reject one or more claims of the present Application:

- **Rathbone:** Rathbone, “Windows XP for Dummies”, 2001, Published by Hungry Minds.
- **Straub:** Straub et al., U.S. Patent No. 5,905,492
- **Hilbert:** Hilbert et al., U.S. Patent Application Publication No. 2003/0088570
- **Matthews:** Matthews et al., U.S. Patent No. 6,865,268
- **Malamud:** Malamud et al., U.S. Patent No. 5,694,561

### **Claims 1-12, 14-22, and 24-36 are Non-Obvious over Rathbone in view of Straub, Hilbert, Matthews, and Malamud**

Claims 1-12, 14-22, and 24-36 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Rathbone in view of Straub, Hilbert, Matthews, and Malamud. Applicant respectfully traverses the rejection and further requests that the rejection be reconsidered and withdrawn. Nevertheless, without conceding the propriety of the rejection and for the sole purpose of expediting allowance of the present application, Applicant hereby amends independent Claims 1, 7, 12, 21, and 31 in the manner set forth above.

Independent Claim 1

Applicant respectfully submits that the cited combination of references neither teaches nor suggests at least the following features recited in independent Claim 1:

a transition from the start page to the desktop page, the transition configured to display after the selectable logon control has been selected but prior to display of the desktop page, the transition configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition and to display elimination of non-selected selectable logon controls, thereby enhancing a computing session by providing seamless continuity when a user logs onto the computing system, the start page configured to include a user-configurable on-line selectable control enabling the user to designate an on-line status that can be displayed to other users prior to, throughout, and subsequent to the transitioning from the start page to the desktop page without a change in the on-line status;

More particularly, Applicant respectfully submits that the combination of Rathbone, Straub, Hilbert, Matthews, and Malamud does not teach or suggest “the start page configured to include a user-configurable on-line selectable control enabling the user to designate an on-line status that can be displayed to other users prior to, throughout, and subsequent to the transitioning from the start page to the desktop page without a change in the on-line status,” as presently recited in independent Claim 1, as amended.

The Office Action acknowledges that “Rathbone, Straub, and Hilbert fail to explicitly teach the transition further configured to include a user configurable on-line selectable control enabling the user to designate an on-line status that can be displayed to other users prior to transition to the desktop page” (Office Action, p. 6). However, the Office Action alleges that Matthews teaches the foregoing feature previously recited in Claim 1. With respect to Matthews, Applicant respectfully disagrees and further asserts that Matthews fails to teach or suggest the recitation set forth above.

Matthew generally describes “[a] method and computer product for locating and tracking the status of call tickets, communicating both asynchronously and synchronously with online members within an organization through an interactive, web-based, on-call board application” (Abstract). More particularly, Matthew describes that “the eCRM portal engine provides a unique and powerful ‘virtual’, On-Call Board **100** that allows On-Call Board members both quick and real-time visibility to each member’s availability and ticket/call assignment” (Col. 6, lines 1-5). Matthews further describes that “[a]fter a secure login, the eCRM portal engine’s ‘start page’, the On-Call Board **100**, serves as an enterprise-level real-time communication portal to the system and a quick jumping off point after login to various functions and real-time representations of the ‘systems’, status” (Col. 6, lines 8-13). Furthermore, Matthews describes that “[e]ach individual member selects his respective availability ‘status’, (column **130**) from a drop down list to notify others of his current availability, and thus the appropriate means to quickly contact him” (Col. 6, lines 47-50). Lastly, Matthew describes that “[e]ach member is limited to only selecting his own status” and that “[w]hen a member selects an ‘Out’, availability status (i.e., ‘off work,’ ‘be back in one hour,’ ‘on vacation,’ etc.), that member is automatically logged out of the system” (Col. 6, lines 52-56).

Therefore, Applicant submits that Matthew describes that once each member is logged in to the eCRM portal, each member may then select and display an “availability status” to notify others of his or her current availability. However, Applicant respectfully submits that Matthew does not teach or suggest “the start page configured to include a user-configurable on-line selectable control enabling the user to designate an on-line status that can be displayed to other users prior to, throughout, and subsequent to the

transitioning from the start page to the desktop page without a change in the on-line status,” as presently recited in Claim 1 (emphasis added). That is, Applicant submits that Matthew is silent with respect to enabling the members of the eCRM portal to “designate an on-line status that can be displayed to other users” prior to and during a transition from the start page to the desktop page “without a change in the on-line status,” as presently recited in independent Claim 1. On the contrary, Matthew merely describes allowing a member of the eCRM portal engine to select an availability status once the member is securely logged in (emphasis added). In fact, Applicant submits that Matthew does not provide any indication that a member is able to select an availability status to be displayed to other members either prior to logging in to the eCRM portal or during a transition between the step of logging into the eCRM portal and actually being logged in to eCRM portal. Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Matthew fails to teach or suggest the foregoing recitation.

Further, in the rejection of independent Claim 1, the Office Action cites to Column 6, lines 47-52 of Matthew as teaching the above recitation (Office Action, p. 6). More particularly, the Office Action states that “Matthews teaches a system and method for manipulating a user’s personal network information” and that “Mathews teaches wherein said information is selectable on-line availability information, at col. 6, lines 47-52 (Office Action, p. 6). However, for at least the reasons discussed above, Applicant respectfully submits that the cited portions of Matthews neither teach nor suggest “the start page configured to include a user-configurable on-line selectable control enabling the user to designate an on-line status that can be displayed to other users prior to, throughout,

and subsequent to the transitioning from the start page to the desktop page without a change in the on-line status,” as recited in Claim 1 (emphasis added). Consequently, Applicant respectfully submits that independent Claim 1 is patentable over Mathew.

Applicant further submits that Rathbone, Straub, Hilbert, and Malamud do not remedy the deficiencies in Mathew set forth above, nor does the Office Action make any assertions to that effect. For instance, Applicant respectfully submits that Hilbert describes a “multi-user document device” that displays information associated with a user while that user is logging into the device and subsequent to logging in (Abstract, paragraphs [0074] and [0076], and FIGS. 3-5). However, Applicant submits that Hilbert provides no indication that such information is displayed to other users prior to logging in, during the login process, and/or subsequent to logging into the multi-user document device. Instead, Applicant submits that this information is only displayed to the specific user that is logging into the device. Therefore, Applicant submits that the foregoing combination of references neither teaches nor suggests at least the recitation set forth above. Accordingly, Applicant respectfully submits that independent Claim 1 is patentable over Rathbone, Straub, Hilbert, Mathew, and Malamud, both singularly and in combination.

*Independent Claims 7, 12, 21, and 31*

The combination of Rathbone, Straub, Hilbert, Matthews, and Malamud fails to teach or suggest each element of independent Claims 7, 12, 21, and 31 for at least the reasoning presented above with respect to independent Claim 1 to the extent that Claims 1, 7, 12, 21, and 31 recite similar subject matter. Accordingly, Applicant

respectfully submits that independent Claims 7, 12, 21, and 31 are also patentable over Rathbone, Straub, Hilbert, Matthews, and Malamud, both singularly and in combination, for reasons similar to those set forth above with respect to Claim 1.

*Dependent Claims 2-6, 8-11, 14-20, 22, 24-30, and 32-36*

As stated above, independent Claims 1, 7, 12, 21, and 31 are patentable over the combination of Rathbone, Straub, Hilbert, Matthews, and Malamud. Accordingly, dependent Claims 2-6, 8-11, 14-20, 22, 24-30, and 32-36 are also patentable over the above combination of references at least by virtue of their dependency on independent Claims 1, 7, 12, 21, and 31, as well as for the additional features that Claims 2-6, 8-11, 14-20, 22, 24-30, and 32-36 recite.

### **CONCLUSION**

For at least the foregoing reasons, Applicant respectfully submits that Claims 1-12, 14-22, and 24-36 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections, and issuance of a notice of allowance.

The arguments and amendments presented herein could not have been presented previously because the Final Office Action rejected claims based on a new reference not previously of record. If any issue remains unresolved that would prevent allowance of this case, **Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.**

Respectfully Submitted,

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